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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,785	01/04/2001	Pierre-Alain Darlet	11283/35	3238

30636 7590 10/18/2004  
FAY KAPLUN & MARCIN, LLP  
150 BROADWAY, SUITE 702  
NEW YORK, NY 10038

EXAMINER

KISS, ERIC B

ART UNIT PAPER NUMBER

2122

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

1. The reply filed on 13 August 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The amendments to the claims fail to comply with the requirements set forth in 37 CFR §1.121(c). The Examiner notes that Applicant has made an effort to correct the deficiencies noted in the previous Office action. However, the following specific errors are still present:

- a. The text of any deleted matter must be shown by strike-through except that **double brackets** placed before and after the deleted characters may be used to show deletion of **five or fewer** consecutive characters. See 37 CFR §1.121(c)(2). The deleted text of claims 3, 4, 16, and 39 are not properly indicated. It is noted that single brackets (“[...]”) instead of double brackets (“[[...]”) have been used in these claims, and in some instances, more than five consecutive characters are indicated in this manner.
- b. Several of the claims are listed with a status identifier of “Presently Amended”. However, this is not one of the valid status identifiers listed in 37 CFR §1.121(c). These claims should instead be labeled as “Currently Amended”.

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2. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, or the remaining time period for reply set forth in the Office action mailed July 31, 2003, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (703) 305-7737. One or around October 28, 2004, Technology Center 2100 will be relocated to Alexandria, Virginia, and Examiner Kiss's telephone number will change to (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:15 am - 4:45 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (703) 305-4552. On or around October 28, 2004, Technology Center 2100 will be relocated to Alexandria, Virginia, and Tuan Dam's phone number will change to (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EBK./EBK  
October 12, 2004

*Chameli C. Das*  
**CHAMELI C. DAS**  
**PRIMARY EXAMINER**

*10/14/04*